UNITED
NATIONS

HRI

International
Human Rights
Instruments

Distr.
GENERAL

HRI/MC/1994/3
15 August 1994

Original: ENGLISH

Fifth Meeting of Chairpersons
of Treaty Bodies
Geneva, 19-23 September 1994
Item 6 of the provisional agenda

STATUS OF THE INTERNATIONAL HUMAN RIGHTS INSTRUMENTS AND THE GENERAL SITUATION OF OVERDUE REPORTS

Report of the Secretary-General

1. The present report contains updated information on the status of the international human rights instruments and the general situation of overdue reports as at 30 June 1994 in regard to the following seven instruments:

(a) The International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly on 16 December 1966 and entered into force on 3 January 1976;

(b) The International Covenant on Civil and Political Rights, adopted by the General Assembly on 16 December 1966 and entered into force on 23 March 1976;

(c) The International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General Assembly on 21 December 1965 and entered into force on 4 January 1969;

(d) The International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted by the General Assembly on 30 November 1973 and entered into force on 18 July 1976;

GE.94-18519 (E)

(e) The Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly on 18 December 1979 and entered into force on 3 September 1981;

(f) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly on 10 December 1984 and entered into force on 26 June 1987; and

(g) The Convention on the Rights of the Child, adopted by the General Assembly on 20 November 1989 and entered into force on 2 September 1990.

2. Since the Fourth meeting of persons chairing human rights treaty bodies, there has been a significant increase in the number of States parties to the human rights instruments. As at 30 June 1994, there were a total of 869 States parties to the seven treaties listed above, as compared with 762 States parties as at 1 September 1992.

3. On 30 June 1994 10 of the 184 Member States of the United Nations were not a party to any of the seven human rights instruments. Those States are the following: Andorra, Brunei Darussalam, Eritrea, Kazakhstan, Kyrgyzstan, Malaysia, Saudi Arabia, Singapore, South Africa and Uzbekistan.

4. The system of reporting under the seven instruments as at 30 June 1994 involved 177 States as compared with 164 in 1992 that were parties to at least one of these instruments. The number of overdue reports of these States parties totalled 1,040 (as compared with 871). Detailed information on the submission of reports and the general situation of overdue reports is contained in tables 1, 2 and 3 below.

Table 1

5. Table 1 below shows the total number of States parties to the seven instruments as at 30 June 1994 and at 1 September 1992 (for the sake of comparison) and the number of overdue reports under each instrument. It should be noted that article 9 (1) of the International Convention on the Elimination of All Forms of Racial Discrimination specifies a periodicity of one year for initial reports and every two years thereafter for periodic reports, which accounts, in part, for the very high number of reports overdue under that Convention.

Table 2

6. Table 2 below shows the number of reports which have been received each year by the treaty bodies from their inception through the first half of 1994. It should be noted that combined reports, which consist of two or more periodic reports submitted in a single document, have been counted in the table as one report. The listing does not include revised reports, additional information or special reports submitted in accordance with a special decision of the Committee concerned. Included in the totals are reports received from

the German Democratic Republic (which united with the Federal Republic of Germany in 1990 to form a single State) and from Czechoslovakia (which changed its name to the Czech and Slovak Republic in 1991 and was succeeded by the Czech Republic and Slovakia in 1993).

7. Table 2 clearly indicates that a majority of States parties are not respecting the obligation to report periodically under each of the treaties concerned.

8. It may be noted in table 2 that there has been an overall decrease in the number of reports submitted under the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. This decrease reflects, in part, changes in the reporting procedures which were recommended by the two treaty bodies concerned. By resolution 1988/4 of 24 May 1988, the Economic and Social Council endorsed the recommendation made by the Committee on Economic, Social and Cultural Rights that States parties be requested to submit a single comprehensive initial report within two years of the entry into force of the Covenant for the State party concerned, and thereafter comprehensive periodic reports at five-year intervals. That arrangement replaced one under which partial reports were to be submitted every two years starting within one year of entry into force. Consequently, States parties to the Covenant have been submitting fewer reports covering only certain articles of the Covenant rather than comprehensive reports. Similarly, at its thirty-sixth session, held in August 1988, the Committee on the Elimination of Racial Discrimination endorsed the proposal made at the eleventh meeting of States parties to the Convention that, following the submission of initial comprehensive reports to the Committee, States are to submit further comprehensive reports every four years (i.e. on every second occasion when reports are due) and to submit brief updating reports on the intervening occasions. Consequently, States parties to that Convention have been submitting more combined comprehensive reports.

Table 3

9. Table 3 below lists the States parties to the various instruments and the number of overdue reports under each instrument. The total number of treaties to which a given State is a party and the total number of overdue reports of each State is also given. The absence of any number indicates that the State is not a party to the instrument concerned.

10. It should further be noted, with respect to the practice of the Committee on the Elimination of Racial Discrimination (CERD) and the Committee on the Elimination of Discrimination against Women (CEDAW), that successive overdue reports may be submitted in a single consolidated document. This practice has also been followed by the Committee against Torture (CAT), which reviews the situation of overdue reports on a case-by-case basis.

Table 1. Changes in the number of States parties and overdue reports by treaty, 1992-1994

International instrument	30 June 1994		1 September 1992	
	States parties	Overdue reports	States parties	Overdue reports
International Covenant on Economic, Social and Cultural Rights	129	105	116	70
International Covenant on Civil and Political Rights	127	98	113	69
International Convention on the Elimination of All Forms of Racial Discrimination	139	381	132	336
International Convention on the Suppression and Punishment of the Crime of Apartheid	99	213	94	189
Convention on the Elimination of All Forms of Discrimination against Women	133	117	117	116
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	82	47	68	34
Convention on the Rights of the Child	160	79	122	a/

a/ No reports were overdue since the Convention entered into force on 2 September 1990 and initial reports were not due until two years after ratification.

Table 2. Number of reports received each year under each treaty
(as at 30 June 1994)

YEAR	Treaties							Total	Total States parties a/
	ESC	CCPR	CERD	CEDAW	CAT	CRC	APART		
1969	-	-	1	-	-	-	-	1	37
1970	-	-	30	-	-	-	-	30	45
1971	-	-	17	-	-	-	-	17	56
1972	-	-	34	-	-	-	-	34	70
1973	-	-	23	-	-	-	-	23	75
1974	-	-	42	-	-	-	-	42	81
1975	-	-	26	-	-	-	-	26	87
1976	-	-	50	-	-	-	-	50	193
1977	13	16	26	-	-	-	6	61	224
1978	11	10	46	-	-	-	11	78	254
1979	14	12	38	-	-	-	3	67	282
1980	13	5	40	-	-	-	16	74	295
1981	21	7	31	-	-	-	10	69	344
1982	10	5	48	7	-	-	13	83	378
1983	27	19	38	12	-	-	11	107	406
1984	15	19	49	5	-	-	6	94	429
1985	20	19	29	4	-	-	9	81	452
1986	19	20	47	16	-	-	15	117	472
1987	12	16	25	19	-	-	6	78	508
1988	8	31	19	12	11	-	12	93	523
1989	14	26	19	11	9	-	7	86	541
1990	9	30	11	14	7	-	2	73	624
1991	5	33	14	23	10	-	7	92	705
1992	7	18	13	19	15	13	0	85	786
1993	12	18	21	19	9	18	0	97	851
1994 b/	1	12	2	8	6	10	0	39	869

a/ Total number of States parties to all instruments as at 31 December of the year indicated.

b/ Period from 1 January to 30 June 1994.

Table 3. Overdue reports by State party and by treaty
(as at 30 June 1994)

State party	Treaty CESCR	CCPR	CERD	APART	CEDAW	CAT	CRC	Total due	Total treaties
Periodicity of reporting:									
Initial reports	2	1	1	2	1	1	2		
Periodic reports	5	5	2	4	4	4	5		
Afghanistan	0	1	5	3	.	1	0	7	5
Albania	1	1	0	.	0	0	1	3	6
Algeria	1	0	1	0	.	0	0	2	5
Angola	1	1	.	.	2	.	1	5	4
Antigua and Barbuda	.	.	3	3	1	0	0	4	4
Argentina	0	0	3	1	0	0	0	3	6
Armenia	0	0	0	0	0	0	0	0	6
Australia	1	1	0	.	1	0	1	4	6
Austria	0	1	1	.	1	1	0	4	6
Azerbaijan	1	0	.	.	.	.	0	1	3
Bahamas	.	.	6	2	0	.	1	7	3
Bahrain	.	.	2	1	.	.	1	3	2
Bangladesh	.	.	1	1	0	.	1	2	3
Barbados	1	1	4	3	0	.	1	8	5
Belarus	1	1	3	0	1	0	0	6	6
Belgium	0	1	1	.	0	.	1	3	5
Belize	.	.	.	.	1	1	1	3	3
Benin	1	1	.	5	1	1	1	5	5
Bhutan	.	.	.	.	3	.	1	4	2
Bolivia	1	1	5	2	0	.	0	7	5
Bosnia and Herzegovina	0	0	0	1	0	1	1	2	6
Botswana	.	.	5	.	.	.	.	5	1
Brazil	1	1	4	.	3	1	1	11	6
Bulgaria	1	1	2	0	2	1	1	8	6
Burkina Faso	.	.	5	4	1	.	0	6	3
Burundi	1	0	2	2	1	1	1	6	6
Cambodia	1	1	4	3	1	1	0	8	6
Cameroon	2	0	2	3	.	1	0	5	5
Canada	0	0	0	.	0	0	0	0	6
Cape Verde	0	0	5	2	3	1	0	9	6

State party	Treaty CESCR	CCPR	CERD	APART	CEDAW	CAT	CRC	Total due	Total treaties
Central African Republic	1	2	5	3	1	.	1	10	5
Chad	.	.	5	4	.	.	1	6	2
Chile	1	1	0	.	0	0	0	2	6
China	.	.	2	1	1	1	1	5	4
Colombia	1	0	1	1	0	1	0	3	6
Comoros	.	.	.	.	.	.	0	0	1
Congo	1	1	3	3	3	.	0	8	5
Costa Rica	1	0	2	2	2	0	0	5	6
Côte d'Ivoire	1	1	7	.	.	.	1	10	4
Croatia	1	1	1	1	1	1	1	6	6
Cuba	.	.	2	0	0	.	1	3	3
Cyprus	1	1	0	.	0	0	1	5	6
Czech Republic	0	0	1	0	1	0	0	2	6
Democratic People's Republic of Korea	1	2	.	.	.	.	1	4	3
Denmark	1	1	2	.	0	1	0	5	6
Djibouti	.	.	.	.	.	.	1	1	1
Dominica	0	0	.	.	3	.	1	4	4
Dominican Republic	1	1	3	.	0	.	1	6	5
Ecuador	1	1	1	3	0	0	1	4	6
Egypt	1	1	1	2	1	0	0	4	6
El Salvador	1	2	5	3	1	.	0	9	5
Equatorial Guinea	1	2	.	.	0	.	0	5	4
Estonia	1	1	1	1	1	1	1	6	6
Ethiopia	0	0	3	3	0	0	1	4	6
Fiji	.	.	6	.	.	.	0	6	2
Finland	1	0	2	.	0	0	1	4	6
France	1	1	0	.	1	1	0	4	6
Gabon	1	3	6	3	2	.	0	12	5
Gambia	1	2	7	4	1	.	1	12	5
Georgia	0	0	.	.	.	.	0	0	3
Germany	0	1	1	.	1	0	1	4	6
Ghana	.	.	2	3	0	.	1	3	3
Greece	1	.	1	.	2	0	0	4	5
Grenada	1	1	.	.	1	.	1	4	4
Guatema	1	1	0	.	1	1	1	5	6
Guinea	1	0	8	5	3	1	1	14	6
Guinea-Bissau	1	.	.	.	2	.	1	4	3
Guyana	2	2	9	4	2	2	1	18	6
Haiti	.	1	2	4	3	.	.	6	3
Holy See	.	.	1	.	.	.	0	1	2

State party	Treaty CESCR	CCPR	CERD	APART	CEDAW	CAT	CRC	Total due	Total treaties
Honduras	1	.	.	.	0	.	0	1	3
Hungary	1	0	3	0	0	0	1	5	6
Iceland	0	1	0	.	0	.	0	1	5
India	1	1	4	1	0	.	0	6	5
Indonesia	.	.	.	.	2	.	0	2	2
Iran, Islamic Republic of	0	1	1	2	.	.	.	2	3
Iraq	1	0	2	1	1	.	.	4	4
Ireland	1	0	.	.	1	.	0	2	4
Israel	1	1	2	.	0	0	1	6	6
Italy	0	0	0	.	0	1	1	3	6
Jamaica	1	2	5	3	2	.	0	10	5
Japan	1	0	.	.	0	.	0	1	4
Jordan	1	0	2	1	1	1	0	5	6
Kenya	0	2	.	.	1	.	1	4	4
Kuwait	.	.	1	3	.	.	1	2	2
Lao People's Democratic Republic	.	.	5	3	3	.	1	9	3
Latvia	1	0	1	1	1	1	1	5	6
Lebanon	0	3	6	.	.	.	1	10	4
Lesotho	1	0	5	3	.	.	1	7	4
Liberia	.	.	9	5	3	.	0	12	3
Libyan Arab Jamahiriya	2	2	3	5	1	1	0	9	6
Liechtenstein	.	.	.	.	.	1	.	1	1
Lithuania	1	1	.	.	0	.	1	3	4
Luxembourg	1	0	1	.	2	1	0	4	6
Madagascar	3	2	4	2	1	.	0	10	5
Malawi	0	0	.	.	1	.	1	2	4
Maldives	.	.	1	2	0	.	1	2	3
Mali	0	2	4	3	1	.	1	8	5
Malta	1	0	3	.	1	1	1	7	6
Marshall Islands	.	.	.	.	.	.	0	0	1
Mauritania	.	.	3	1	.	.	1	4	2
Mauritius	1	2	4	.	1	0	1	9	6
Mexico	0	0	2	1	0	0	0	2	6
Micronesia (Federated States of)	.	.	.	.	.	.	0	0	1
Monaco	.	.	.	.	.	0	0	0	2
Mongolia	1	0	2	2	1	.	1	5	5
Morocco	0	0	1	.	0	0	0	1	6
Mozambique	.	0	5	3	.	.	0	5	3
Myanmar	.	.	.	.	.	.	0	0	1
Namibia	.	.	3	3	1	.	0	4	3

State party	Treaty CESCR	CCPR	CERD	APART	CEDAW	CAT	CRC	Total due	Total treaties
Nepal	1	1	4	4	1	0	1	8	6
Netherlands	2	1	2	.	0	0	.	5	5
New Zealand	0	0	2	.	1	0	0	3	6
Nicaragua	0	1	4	4	0	.	0	5	5
Niger	1	1	3	4	.	.	0	5	4
Nigeria	0	0	1	2	1	.	1	3	5
Norway	1	0	1	.	0	0	0	2	6
Pakistan	.	.	4	1	.	.	0	4	2
Panama	2	2	4	2	2	0	1	11	6
Papua New Guinea	.	.	5	.	.	.	0	5	2
Paraguay	1	0	.	.	0	0	0	1	5
Peru	2	1	0	1	1	1	0	5	6
Philippines	0	1	3	2	0	1	0	5	6
Poland	1	0	1	1	0	0	0	2	6
Portugal	0	1	2	.	0	1	1	5	6
Qatar	.	.	1	0	.	.	.	1	1
Republic of Korea	0	0	1	.	1	.	1	3	5
Republic of Moldova	0	1	1	.	.	.	0	2	4
Romania	1	0	1	2	0	0	0	2	6
Russian Federation	1	1	2	0	0	1	0	6	6
Rwanda	2	1	3	0	0	.	0	6	5
Saint Kitts and Nevis	.	.	.	.	3	.	1	4	2
Saint Lucia	.	.	2	.	3	.	0	5	3
Saint Vincent and Grenadines	1	2	5	2	0	.	0	8	5
Samoa	.	.	.	.	1	.	.	1	1
San Marino	1	1	.	.	.	.	1	3	3
Sao Tome and Principe	.	.	.	4	.	.	1	1	1
Senegal	0	0	1	2	1	1	1	4	6
Seychelles	1	1	3	3	1	1	1	8	6
Sierra Leone	.	.	10	.	2	.	1	13	3
Slovakia	0	0	1	0	1	1	0	3	6
Slovenia	1	0	1	1	0	0	1	4	6
Solomon Island	1	.	5	.	.	.	.	6	2
Somalia	1	1	5	5	.	1	.	8	4
Spain	1	0	1	.	1	0	0	3	6
Sri Lanka	1	1	4	2	1	0	0	7	6
Sudan	1	2	1	4	.	.	0	4	4
Suriname	0	2	5	3	1	.	0	8	5
Swaziland	.	.	10	.	.	.	.	10	1
Sweden	0	0	0	.	0	0	0	0	6

State party	Treaty CESCR	CCPR	CERD	APART	CEDAW	CAT	CRC	Total due	Total treaties
Switzerland	1	1	.	.	.	0	.	2	3
Syrian Arab Republic	1	2	2	1	.	.	0	5	4
Tajikistan	.	.	.	.	0	.	0	0	2
Thailand	.	.	.	.	1	.	1	2	2
The Former Yugoslav Republic of Macedonia	0	0	0	0	1	.	1	2	5
Togo	1	0	6	3	3	2	1	13	6
Tonga	.	.	1	.	.	.	.	1	1
Trinidad and Tobago	1	1	0	3	1	.	1	4	5
Tunisia	1	0	1	1	0	1	0	4	6
Turkey	.	.	.	.	0	1	.	2	2
Turkmenistan	.	.	.	.	.	.	0	0	1
Uganda	1	.	6	2	0	2	1	10	5
Ukraine	1	0	1	0	0	0	0	3	6
United Arab Emirates	.	.	4	2	.	.	.	4	1
United Kingdom of Great Britain and Northern Ireland	1	0	1	.	0	1	0	3	6
United Republic of Tanzania	2	1	4	5	1	.	0	8	5
United States of America	.	1	.	.	.	.	.	1	1
Uruguay	0	1	2	.	2	1	1	7	6
Vanuatu	.	.	.	.	.	.	0	0	1
Venezuela	1	1	4	1	1	1	1	9	6
Viet Nam	0	1	1	3	2	.	0	4	5
Yemen	1	0	1	2	0	1	1	4	6
Yugoslavia	2	1	3	1	1	1	1	9	6
Zaire	1	1	7	4	1	.	1	12	5
Zambia	2	1	0	3	0	.	1	5	5
Zimbabwe	1	1	2	1	1	.	1	6	5
TOTAL NUMBER OF OVERDUE REPORTS	105	98	381	213	117	47	79	1040	
TOTAL NUMBER OF STATES PARTIES	129	127	139	99	133	82	160		869